

**MINUTES**  
**Crested Butte Town Council**  
**Regular Council Meeting**  
**February 21, 2012**  
**Council Chambers, Crested Butte Town Hall**

Mayor Aaron Huckstep called the meeting to order at 7:00 p.m. Councilmembers present: John Wirsing, Glenn Michel, Shaun Matusiewicz, Roland Mason, David Owen and Jim Schmidt. Staff Present: Town Attorney John Belkin, Town Clerk Eileen Hughes, Building and Zoning Director Bob Gillie, Finance Director Lois Rozman (for part of the meeting), Town Planner John Hess (for part of the meeting) Parks and Recreation Director Jake Jones (for part of the meeting) and Public Works Director Rodney Due (for part of the meeting).

**APPROVAL OF AGENDA**

Mayor Huckstep said items "A and B" under "New Business" should be removed from the agenda. Huckstep noted that Crested Butte Publishing and Creative requested their item be removed from the agenda and Irwin Backcountry Guides pulled their application from consideration by the Gunnison County Planning Commission so the item is moot.

Schmidt moved and Owen seconded to approve the agenda with the removal of items "A and B" under "New Business." A roll call vote was taken with all voting "Yes." **Motion approved unanimously.**

**CONSENT AGENDA**

A) Approval of Minutes of February 6, 2012 Council Meeting.  
B) Approval For The Town To Enter Into A Contract With The State Historical Society For A Certified Local Government Grant To Fund A Historic Preservation Seminar In Crested Butte In June, 2012.

Owen moved and Mason seconded to approve the Consent Agenda. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

**PUBLIC COMMENTS**

Chris Hanna of Crested Butte Publishing and Creative noted that he sent an e-mail to Council this afternoon asking that his company's request be removed from the agenda. Hanna said he needs to regroup with his business partner and re-frame their request. He said they would like to obtain an agreement with the Town regarding their smart phone application "Explore CB" and do not want to request funding from the Council's Venture Fund.

**STAFF UPDATES**

Jake Jones:

- Noted his memo to Council regarding special events at the Big Mine Ice Arena and the Town Ranch area. Jones fielded questions from Council about uses of the Big Mine Ice Arena and restrictions on capacity and retail sales.
- He received a request from the Gunnison County Trails Commission to send a letter to "Bikes Belong" in support of a grant for the construction of a bridge over Anthracite Creek in the Kebler Pass area in conjunction with the Carbondale to Crested Butte bike trail project. Jones noted he sent Council an e-mail with a draft of his letter. Council indicated it

was comfortable with the letter of support and agreed to address the matter later in the meeting under "Other Business."

Rodney Due:

- The Big Air on Elk Avenue special event is scheduled for March 10 and public works crews plan to let the snow banks build up along Elk Avenue between 2<sup>nd</sup> and 3<sup>rd</sup> streets so the snow can be used for the event.
- He attended a Board of County Commissioners (BOCC) meeting today and reported about proposed new state regulations concerning nutrient limits in effluent discharge from waste water treatment facilities. Due explained that the Northwest Colorado Council of Government (NWCCOG) supports the proposed regulations as long as an exemption is maintained for facilities that demonstrate that their plants do not cause its receiving waters to exceed the nutrient limits. Due said if an exemption is not allowed that the Town would essentially need to build another treatment plant at a cost of about \$5 million. Council indicated it was amenable to writing a letter regarding the proposed regulations. Due said he may request a letter in the future.

John Hess:

- Working with Town Attorney John Belkin on a re-write of Ordinance No. 19 regarding affordable housing. The ordinance has been sent to consulting attorney Barbara Green for review.
- Several people who helped develop the Town's Weed Plan have asked him when the plan will be implemented. Hess said funds for implementation of the plan were not included in this year's budget. Hess asked Council if it would be useful to schedule a work session to discuss the Weed Plan. Council directed staff to schedule a work session on the topic this summer.

Bob Gillie:

- He is working with Gunnison County Electric Association (GCEA) on a new franchise agreement. Gillie explained that he is negotiating the agreement and working out some general policy issues in the proposed agreement.
- He is meeting with architects regarding the Depot renovation project.
- He met with representatives of the Sixth Street Station Project. They plan to resurrect their application before the Board of Zoning and Architectural Review (BOZAR) in the near future.

Eileen Hughes:

- Staff administratively approved two special event applications: the Flauchink Parade and Ski for Hope on the Town Ranch.
- She is soliciting proposals from document management companies for the Clerk's office document scanning project.

### **PUBLIC HEARING**

- A) Ordinance No. 1, Series 2012 – An Ordinance Approving A Loan From The Colorado Water Resources And Power Development Authority In A Principal Amount Not To Exceed \$400,000.00; Authorizing The Form And Execution Of The Loan Agreement And A Governmental Agency Bond To Evidence Such Loan; Describing Other Details In Connection Therewith; And Repealing All Ordinances In Conflict Herewith.

Mayor Huckstep read the title of the Ordinance and confirmed with the Town Clerk that proper notice of the public hearing was given. Mayor Huckstep noted a staff report on the topic from Finance Director Lois Rozman. Rozman explained that since the water storage tank expansion project may cost more than originally estimated, a budget amendment may be necessary at the end of the year.

Mayor Huckstep opened the public hearing. There were no public comments. Mayor Huckstep closed the public hearing.

Schmidt moved and Wirsing seconded to approve Ordinance 1, Series 2012. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

### **NEW BUSINESS**

- A) Consideration of Request from Crested Butte Publishing and Creative for \$6,000 From the Council Venture Fund for Support for the Mobile Guide to Crested Butte. -Item removed from the agenda.
- B) Council Review of Staff Letter Providing Comment to The Gunnison County Planning Commission On Irwin Backcountry Guides Application for a Land Use Change For Year Round Outdoor Recreational Uses. - Item removed from the agenda.
- C) Staff Follow Up on Request From Mountain Oven To Amend the Town Code to Allow a Late Night Food Truck To Operate on Elk Avenue.

Mayor Huckstep noted staff report from Town Clerk Eileen Hughes on the topic.

Chris Sullivan, one of the owners of Mountain Oven, said his operation will add more diversity to available food options and noted there's very little organic food available in town. Sullivan said although a local resident plans to operate a late night food cart, he does not see any conflict between a late night food cart and his plan for a late night food truck. Sullivan said he also plans to use his food truck to offer breakfast options at the 6<sup>th</sup> Street and Elk Avenue traditional Farmers Market site. Sullivan noted that he is not asking the Town to allow his food truck to vend at Town recreation areas.

Council pointed out that a food truck may bring people onto the street and that snow banks may create access problems. Council said there should be a size limit placed on food trucks and also pointed out that many businesses paid payment-in-lieu-of parking fees and these businesses may not be supportive of a food truck that does not incur such fees. Sullivan said it seemed reasonable for the Town to levy a fee for his operation.

Several council members voiced positive comments about the proposal noting that many business owners signed a statement in support of a late night food truck and the Marshal's department did not have any issues with the proposal. Council members also pointed out that Mountain Oven is filling a niche in town and is a currently operating a successful bakery. Council members noted that some business owners will likely complain about the food truck and one councilmember suggested that late food truck operations should be limited to businesses that already have a "bricks and mortar" presence in town.

Owen moved and Mason seconded to direct staff to draft an ordinance to allow a late night food truck. The ordinance should contain the following: limit the number of trucks to two, limit the size of the truck, limit the time of operations to late night, include a fee and define the area of potential location as the B-1 zone. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

Building and Zoning Director Bob Gillie said Council should allow staff to work out possible locations for late night food trucks and said there needs to be flexibility in determining appropriate locations. Council agreed with Gillie.

- D) Ordinance No. 2, Series 2012-An Ordinance Authorizing The Sale Of Town-Owned Property Legally Described As Unit 6, Red Lady Estates Condominiums, Town Of Crested Butte, County of Gunnison, State of Colorado For The Sale Price Of \$23,000.00.

Mayor Huckstep read the title of the ordinance. Town Planner John Hess said an owner of a mobile home in Red Lady Estates approached the Town about purchasing the land his home occupies. Hess explained that in 2003 the Town sold lots in Red Lady Estates to the owners of the mobile homes for \$20,000. He said the Town will add the allowable appreciation plus ½ closing costs and other fees to the purchase price.

Schmidt moved and Owen seconded to set Ordinance No. 2 Series 2012 for public hearing on March 5, 2012.

### **LEGAL MATTERS**

John Belkin:

- He is working with John Hess on Ordinance 19, 2011 (Affordable Housing). The ordinance re-draft has been sent to consulting attorney Barbara Green for review.
- He is working on a contract for sale of a mobile home in Red Lady Estates.

### **COUNCIL REPORTS AND COMMITTEE UPDATES**

David Owen:

- Reported that the executive director of the Gunnison County Housing Authority (GCHA) has resigned. Updated Council on matters related to affordable housing and the GCHA.

Shaun Matusewicz:

- Reported that 350 people attended the "Yoga Rocks the Butte" event. The majority of the attendees did not live in Colorado and most came to town for dinner.

John Wirsing:

- Updated council on information related to the Chamber of Commerce and the Visitor Center.
- Reported on the Tourism Association's (TA) ad campaign and the popularity of the TA's brochures and stick figure marketing campaign. A new campaign is developed every 3-5 years and the current campaign will be replaced in the near future.

Glenn Michel:

- Reported on a recent Office for Resource (ORE) Efficiency meeting. ORE is discussing future funding. Historically ORE has been a Gunnison County specific entity and now the organization has evolved into an organization for the Western Slope.

Jim Schmidt:

- Reported on a recent Gunnison Valley Housing Foundation (GVHF) meeting. He is concerned how the recent resignation of the executive director of the Gunnison County Housing Authority may affect the GVHF because the executive director has assisted the GVHF.

Roland Mason:

- Reported on a recent Rural Transportation Authority (RTA) board meeting. Staff has been asked to develop a five year plan. The board is working on providing more consistent ground transportation and also discussed the possibility of subsidizing a bus to provide service to the Montrose airport.
- Requested an item be placed on the Council's agenda to discuss what will be on the next agenda for the joint meeting with Mt. Crested Butte in June 2012.

Aaron Huckstep:

- Noted the Council received thank you notes from Martha Walton, Crested Butte Search and Rescue and the Gunnison Valley Community Foundation.
- Received a call from a constituent asking councilmembers to publish their telephone numbers in the phone book.
- Recently met with representatives of the Crested Butte Nordic Center and Parks and Recreation Director Jake Jones to discuss the Nordic Center Warming House and ice rink and plans for the future. The Warming House is often very crowded.

#### **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

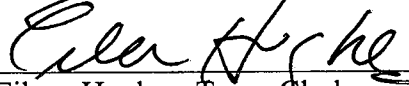
A) Discussion of Letter of Support for the Gunnison County Trails Commission's Grant Application to "Bikes Belong" for a bridge over Anthracite Creek.

Council indicated support for a letter from Parks and Recreation Director Jake Jones to "Bikes Belong." Jones had e-mailed Council a draft letter and Council briefly discussed the matter earlier in the meeting during "Staff Updates."

Council also discussed the need for a bridge at the Deadman's Trail, which Council said is important because of safety issues at the creek crossing. Council directed Jones to write a letter for the Mayor's signature to the U.S. Forest Service and the Gunnison County Trails Commission about the need for a bridge at the Deadman's Trail.

Mayor Huckstep adjourned the meeting at 9:29 p.m.

  
Aaron L. Huckstep, Mayor

  
Eileen Hughes, Town Clerk